

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ERNIE FRITZ,

Applicant,

v.

CV NO. 07-0585 WJ/LAM

JAMES JANECKA, et al.,

Respondents.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED FINDINGS
AND RECOMMENDED DISPOSITION (Doc. 14)**

THIS MATTER is before the Court on the *Magistrate Judge's Proposed Findings and Recommended Disposition* (Doc. 14), filed on April 2, 2008. No party has filed objections to the *Proposed Findings and Recommended Disposition* and the deadline for filing objections has passed. The Court has determined that it will adopt the *Magistrate Judge's Proposed Findings and Recommended Disposition* (Doc. 14); grant *Respondents' Motion to Dismiss Petition with Prejudice (Federal Habeas Corpus Proceeding / 28 U.S.C. § 2254)* (Doc. 11); deny Mr. Fritz' *Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 by a Person in State Custody* (Doc. 1) as without merit; and enter a judgment dismissing this case with prejudice.

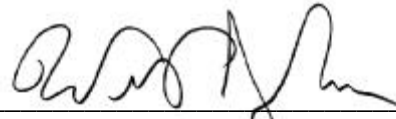
IT IS THEREFORE ORDERED that the *Magistrate Judge's Proposed Findings and Recommended Disposition* (Doc. 14) are **ADOPTED** by the Court.

IT IS FURTHER ORDERED that *Respondents' Motion to Dismiss Petition with Prejudice (Federal Habeas Corpus Proceeding / 28 U.S.C. § 2254)* (Doc. 11) is **GRANTED**.

IT IS FURTHER ORDERED that Mr. Fritz' *Application for a Writ of Habeas Corpus Pursuant to 28 U.S.C. § 2254 by a Person in State Custody (Doc. 1)* is **DENIED** as without merit.

IT IS FURTHER ORDERED that this case be **DISMISSED WITH PREJUDICE** and that a final judgment be entered concurrently with this order.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'W. P. Johnson', is written over a horizontal line. A vertical line extends upwards from the right side of the signature.

HONORABLE WILLIAM P. JOHNSON
UNITED STATES DISTRICT JUDGE